

FILED
Clerk
District Court

JAN 31 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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Attorneys for Plaintiff Bernard Sikimour Phillip

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

BERNARD SIKIMOUR PHILLIP,

Plaintiff,

vs.

**UNITED STATES OF AMERICA, UNITED
STATES DEPARTMENT OF STATE,
UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT and
NANCY K. FINN, individually and in her
official capacity,**

Defendants.

) **CIVIL CASE NO. 05-0039**

)

) **MEMORANDUM IN SUPPORT OF**

) **MOTION FOR PARTIAL SUMMARY**

) **JUDGMENT**

) **Date: March 2, 2006**

) **Time: 8:30 a.m.**

) **Judge: Hon. Alex R. Munson**

I.

INTRODUCTION

This Court should grant Plaintiff's Motion for Partial Summary Judgment as there is no genuine issue of any material fact regarding the specific issues brought before the Court in that Motion and Plaintiff is due a judgment as a matter of law. Despite overwhelming documentary evidence that Plaintiff Bernard Sikimour Phillip ("Mr. Phillip") became a United States Citizen on November 4, 1986 pursuant to the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States ("the Covenant"), he has been repeatedly denied his United States passport without cause. Therefore, this Court should declare

1 that Mr. Phillip is a citizen of the United States and order the issuance of his United States
2 passport without delay.

3
4 **II.**

5 **FACTS**

6 Bernard Sikimour Phillip was born on Dublon Island, Pwene, Chuuk, on May 31, 1933.¹
7 In 1957, Mr. Phillip relocated to Saipan.² Thereafter, Mr. Phillip has lived, worked and raised
8 his family on Saipan.³

9
10 Wanting to travel within the United States and its Territories to visit friends and family,
11 Mr. Phillip began to apply for a United States Passport in 1999.⁴ His application for a passport
12 was filed “without further action” and he was not issued a passport because the Honolulu
13 Passport Agency of the United States Department of State (“the Passport Agency”) claimed that
14 he lacked certain documentary evidence of his status as a United States citizen.⁵ Specifically,
15 the Passport Agency demanded 1) “early secondary evidence of birth to support [Mr. Phillip’s]
16 delayed record of birth,” 2) “certification that he was a registered voter prior to January 1,
17 1975,” and 3) “sufficient proof of continued domicile” from 1981-1986.⁶ This process of
18 application, demand for additional “proof” and eventual rejection was repeated three times (in
19 2000, 2003 and 2005).⁷

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22
23 ¹ See Declaration of Bernard S. Phillip in Support of Motion for Summary Judgment attached hereto as “Exhibit A”.

24 ² See Affidavit of Bernard S. Phillip attached hereto as “Exhibit B.”

25 ³ *Id.*

26 ⁴ See letter of July 29, 2005 attached hereto as “Exhibit C.”

27 ⁵ *Id.*

28 ⁶ *Id.*

⁷ *Id.*

1 Despite repeated explanations to the Passport Agency during his four separate
 2 applications that no such additional "proof" of his time and place of birth exists, and the
 3 significant amount of documentation of his continued domicile on Saipan, Mr. Phillip's 2005
 4 application was denied.⁸ Fearing that another application would be met with the same rejection,
 5 and desiring to visit his family and friends freely during his autumn years, Mr. Phillip filed this
 6 action to vindicate his rights as a United States citizen.

7
 8 Therefore, in order to resolve this matter in the most expeditious manner possible, Mr.
 9 Phillip seeks a declaration from this Court establishing his United States citizenship and
 10 ordering the immediate issue of a U.S. passport. The remaining issues (including damages and
 11 Mr. Phillips entitlement to attorney's fees) can be disposed of in the normal course of this
 12 matter, but, as Mr. Phillip is 73 years old and of failing health, it is imperative that Mr. Phillip
 13 be issued his passport immediately so that he may enjoy his right to travel freely within the
 14 United States before it is too late.

15 16 III.

17 ARGUMENT

18 There being no genuine issue of any material fact regarding the specific issues
 19 contemplated by this Motion, and Plaintiff being due a judgment as a matter of law, this Court
 20 should grant summary judgment in favor of Mr. Phillip, declare that he is a citizen of the United
 21 States and order the immediate issuance of his United States passport.

22 23 ***A) The Legal Standard For Summary Judgment Is Clear.***

24 Summary judgment is proper if "there is no genuine issue as to any material fact and the
 25 moving party is entitled to a judgment as a matter of law." Fed.R.Civ.P. 56(c). A fact is
 26 material if it "might affect the outcome of the suit under the governing law." *Anderson v.*

27 ⁸ *Id.*

1 *Liberty Lobby, Inc.*, 477 U.S. 242, 248, 106 S. Ct. 2505, 91 L. Ed. 2d 202 (1986).⁹ Since the
 2 issues implicated in this Motion are confined to interpretation of the grant of citizenship under
 3 the Covenant, it, and subsequent interpretation of it, will be controlling law.

4
 5 ***B) Mr. Phillip Became A United States Citizen Under The Covenant.***

6 On November 4, 1986, Bernard Sikimour Phillip became a citizen of the United States of
 7 America. On that date, the Covenant granted U.S. Citizenship to various persons under its
 8 Section 301. This section provided for several eventualities whereby a person would
 9 ***automatically become a citizen of the United States.*** It is one of those eventualities,
 10 specifically Section 301(b), under which Mr. Phillip became a United States citizen.

11
 12 The Covenant allowed for the naturalization of persons who were continuously
 13 domiciled in the CNMI for a certain period of time and had participated in the electoral process
 14 prior to a certain date. Specifically, Section 301(b) declared U.S. citizens:

15 all persons who are citizens of the Trust Territory of the Pacific Islands on the
 16 day preceding the effective date of this Section [November 3, 1986], who have
 17 been domiciled continuously in the Northern Mariana Islands for at least five
 18 years immediately prior to that date, and who, unless under age, registered to vote
 in elections for the Mariana Islands District Legislature or for any municipal
 election in the Northern Mariana Islands prior to January 1, 1975.

19 Covenant § 301(b). Therefore, under Covenant § 301(b), there are three, and only three,
 20 requirements that if met, granted an individual immediate naturalization as a U.S. Citizen.

21
 22
 23
 24 ⁹ A factual dispute is genuine "if the party moving for summary judgment meets its initial burden of identifying for
 25 the court those portions of the materials on file that it believes demonstrate the absence of any genuine issues of
 26 material fact," the burden of production then shifts so that the nonmoving party must set forth, by affidavit or as
 27 otherwise provided in Rule 56, 'specific facts' showing that there is a genuine issue for trial." *T.W. Elec. Service,
 Inc. v. Pacific Elec. Contractors Ass'n.*, 809 F.2d 626, 630 (9th Cir. 1987)(citing *Celotex Corp. v. Catrett*, 477 U.S.
 317, 106 S.Ct. 2548, 91 L.Ed.2d 265 (1986)); *Kaiser Cement Corp. v. Fischback & Moore*, 793 F.2d 1100, 1103-04
 (9th Cir. 1986), cert. denied, 479 U.S. 949, 107 S.Ct. 435, 93 L.Ed.2d 384 (1986).

1 ***1) Mr. Phillip Was A Citizen Of The Trust Territory On November 3, 1986.***

2 At the time the Trust Territory of the Pacific Islands governed, any person that had been
3 born, or would be born, within the its geographic confines was automatically a citizen of the
4 Trust Territory. Specifically, the Trust Territory Code provided that “all persons born in the
5 Trust Territory ***shall be deemed to be citizens of the Trust Territory.***” 53 TTC §1(1). On May
6 31, 1933, Mr. Phillip was born at Pwene on Dublon Island, Chuuk.¹⁰ There is no genuine
7 dispute as to where and when Mr. Phillip was born, and indeed ***Defendants have admitted that***
8 ***certain documents show that Mr. Phillip was born in Chuuk in 1933.***¹¹ Therefore, Mr. Phillip
9 was a citizen of the Trust Territory of the Pacific Islands on the day before the effective date of
10 Section 301(b) of the Covenant. Mr. Phillip meets the first of Section 301(b)’s criteria.

11
12 ***2) Mr. Phillip Has Been Continuously Domiciled On Saipan For Over Forty Years.***

13 People enjoy a presumption of continued domicile. The general proposition that “a
14 domicile once acquired is presumed to continue until it is shown to have been changed” has
15 remained a foundational concept of American jurisprudence for well over one hundred years.
16 *Mitchell v. U.S.*, 88 U.S. 350, 353 (1874).¹² Given this presumption, all Mr. Phillip must show
17 is that he established a domicile in the CNMI prior to 1981, in order to satisfy the second
18 requirement of section 301(b). At that point, the burden will shift to whomever asserts a change
19 in domicile to show that Mr. Phillip has established a domicile elsewhere. He has not.

20
21
22 ¹⁰ See Exhibit A.

23 ¹¹ Nancy Finn, Regional Director of the Honolulu Passport Agency and a co-defendant in this case, wrote to Mr.
24 Phillip telling him that “[t]he current, as well as your previous three U.S. passport applications and all
25 accompanying documents . . . show that you were born in Chuuk, Federated States of Micronesia on May 31,
1933.” Exhibit C.

26 ¹² See also *Lange v. Penn Mut. Life Ins. Co.* 843 F.2d 1175, 1179 (9th Cir. 1988) (where the same presumption of
27 continued domicile was recognized in determining diversity of citizenship) and *Castillo-Felix v. Immigration &*
28 *Naturalization Service* 601 F.2d 459, 464 (9th Cir. 1979) (recognizing the presumption of continued domicile in the
context of aliens establishing domicile within the United States for purposes of immigration).

1 To establish a domicile, an individual must both move to the new physical location and
2 manifest an intention to remain there. *Id.* Here, there exists overwhelming evidence that Mr.
3 Phillip not only physically resided within the Commonwealth of the Northern Mariana Islands,
4 but that he intended to establish his domicile here prior to 1981. Mr. Phillip resided within the
5 CNMI prior to 1981 where he lived, worked and raised his family.¹³ Mr. Phillip was employed
6 in the CNMI prior to 1981 and contributed to CNMI social security during that time.¹⁴ Mr.
7 Phillip repeatedly took part in municipal elections prior to 1981.¹⁵ Mr. Phillip certainly
8 established a domicile within the CNMI prior to 1981 and it is presumed to continue until he
9 establishes a new one in another location. Absent a showing that he has established another
10 domicile, Mr. Phillip's domicile is presumed to remain within the CNMI from the date it was
11 established. As it was established far before 1981 (and no proof could exist that he has
12 established a domicile elsewhere because he simply has not done so), he meets the second of
13 Section 301(b)'s requirements.
14
15
16

17 ***3) Mr. Phillip was registered to vote in 1974 municipal elections in the CNMI.***

18 According to the Commonwealth Election Commission, Mr. Phillip was registered to
19 vote in the 1974 Municipal Election in the CNMI as a member of District #7 in San Jose,
20 Saipan.¹⁶ Section 301(b)'s final requirement for U.S. citizenship is that the person in question
21 was "registered to vote in . . . any municipal election in the Northern Mariana Islands prior to
22
23
24

25 ¹³ See Exhibit A and Affidavit of Estanislao Tudela Torres attached hereto as "Exhibit D."

26 ¹⁴ See Transcript of Social Security Earnings attached hereto as "Exhibit E."

27 ¹⁵ See Certification of voter's registration attached hereto as "Exhibit F."

28 ¹⁶ See Exhibit F.

1 January 1, 1975.” As Mr. Phillip was registered to vote in the election in 1974, he meets this
2 final requirement.

3 Mr. Phillip, having met all three requirements under Section 301(b) of the Covenant
4 *automatically became a citizen of the United States* and is entitled to all of the rights and
5 privileges appertaining thereto.
6

7
8 **IV.**

9 **CONCLUSION**

10 Bernard Sikimour Phillip is a citizen of the United States of America. He became one
11 under Section 301(b) of the Covenant. He is being denied rights that are routinely exercised by
12 his fellow citizens for no reason other than he became a citizen under a different set of
13 circumstances than they. There is no reason, other than the blind adherence to bureaucratic
14 process, to deny Mr. Phillip a United States passport and the means with which to travel freely
15 within the United States. The administrative demands of the government defendants cannot
16 trump Mr. Phillip’s civil rights, and therefore, this Court should grant this Motion, declare Mr.
17 Phillip a citizen of the United States and order the immediate issuance of his United States
18 passport.
19
20

21 Dated: January 31, 2006.

Respectfully submitted,
O’CONNOR BERMAN DOTTS & BANES
Attorney for Plaintiff Bernard S. Phillip

22
23
24 By: 

25 **GEORGE L. HASSELBACK**
26
27
28

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Attorneys for Plaintiff Bernard Sikimour Phillip

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

BERNARD SIKIMOUR PHILLIP,)	CIVIL CASE NO. 05-0039
)	
Plaintiff,)	
)	DECLARATION IN SUPPORT OF
vs.)	MOTION FOR SUMMARY JUDGMENT
)	
UNITED STATES OF AMERICA, UNITED)	
STATES DEPARTMENT OF STATE,)	
UNITED STATES IMMIGRATION AND)	
CUSTOMS ENFORCEMENT and)	Date: March 2, 2006
NANCY K. FINN, individually and in her)	Time: 8:30 a.m.
official capacity,)	Judge: Hon. Alex R. Munson
)	
Defendants.)	

I, Bernard Sikimour Phillip, declare under the penalty of perjury that the following is true and based upon my personal knowledge, except where noted otherwise, and if called to testify, I could do so competently:

1) I was born on May 31, 1933 on Dublon Island, Pwene, Chuuk.

2) In 1979, so that I could apply for a CNMI identification card, I applied for and received a Certified Copy of Birth Record from the Clerk of Courts of Chuuk. A true and accurate copy of the Certified Copy of Birth Record that I received is attached hereto as "Exhibit A."

1 3) This is the only record of my birth that I have ever been issued, and to the best of
2 my knowledge, it is the only such record that exists.

3
4
5 Dated: January 31, 2006.

6
7
8 By  _____

9 BERNARD S. PHILLIP
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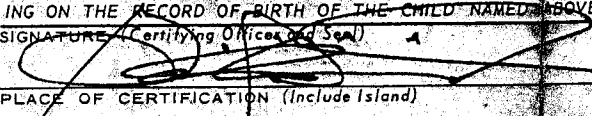
TT FORM 203 (REV. 1/64)		TRUST TERRITORY OF THE PACIFIC ISLANDS CERTIF COPY OF BIRTH RECORD		Registration No.
NAME OF CHILD Bernard PHILLIP				
SEX Male	DATE OF BIRTH (Month, Day, Year) May 31, 1933			
PLACE OF BIRTH Pwene, Dublon Is., Truk				
MAIDEN NAME OF MOTHER Inewe Sikimour				
PLACE OF RESIDENCE OF MOTHER Pwene, Dublon Is., Truk				
NAME OF FATHER Phillip Eiur				
DATE RECEIVED BY LOCAL REGISTRAR June 13, 1979				
THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF STATEMENTS APPEARING ON THE RECORD OF BIRTH OF THE CHILD NAMED ABOVE, AS FILED IN THIS OFFICE.				
SIGNATURE (Certifying Officer and Seal) 		OFFICIAL TITLE Clerk of Courts, Truk		
PLACE OF CERTIFICATION (Include Island) Moen Is., Truk, E. C. Is. 495942		DATE CERTIFIED June 13, 1979		

Exhibit "A"

Exhibit "B"

I, Bernard S. Phillip, under penalty of perjury do hereby make the following statements. The dates listed below are general approximations, because I can no longer recall exact dates of events which took place so long ago.

1. From 1952 to 1953, I worked for the Island Affairs Office in Pohnpei.
2. From 1953 to 1957, I worked for the Public Works office in what was then known as Truk and which is now known as Chuuk.
3. From 1957 to 1964, I worked on a ship based in Saipan, owned and operated by the Pacific Micronesian Line. This ship traveled to many places which I have listed in my previous declarations in applying for my U.S. Passport.

However I never actually lived in any of those places, rather I lived and slept on the ship when it docked in those ports. The ships home port was Saipan, and the only port where we docked for any significant period of time, and that is where I considered myself to be residing.

4. From 1964 to 1965, I worked for the Publication Office of the Trust Territory Government in Saipan.
5. From 1969 to 1975 I worked for a company called Dillingham Construction

in Saipan, as an overall supervisor doing road construction and laying of sewer lines.

6. From 1978 to 1985 I worked as a tour guide for Tasi Tour in Saipan.

AFFIDAVIT

Commonwealth of)
The Northern) ss
Mariana Islands)

7. From approximately 1986 to 1997 I worked as a tour guide for Nippon Express Co. in Saipan.

8. My wife is Rosa R. Omar (d.o.b. 5/27/45 – Anatahan Island, CNMI) and she is a U.S. citizen. We were married in a religious ceremony in Chuuk while my wife was pregnant with our daughter Melvina. I don't remember the exact date of the ceremony, but it was in 1974. Rosa and I have been separated since 1998.

9. I have had 5 children, however I may have stated 4 in previous applications because my oldest child Dick died at age 8. The children are as follows:

- a) Dick O. Phillip – born on July 4, 1966 on Saipan and died at age 8.
- b) Lelcrisia O. Phillip – born on September 10, 1967 on Saipan. She is a U.S. citizen currently living on Guam.
- c) Nancy Nielo O. Phillip – born on September 25, 1969 on Saipan. She is a U.S. citizen living in Saipan.
- d) Melvina O. Phillip – born on January 5, 1975 on Chuuk while my wife was visiting there for a couple of months. Melvina grew up on Saipan and is a U.S. citizen currently living in Guam.
- e) Dick John O. Phillip – born on January 10, 1980 on Saipan. He is a U.S. citizen living in Saipan.

11. I don't ever remember claiming to have 8 children, but if there is such a record it is merely a clerical error.

12. My wife and all my children (with the exception of Dick O. Phillip who died) became U.S. citizens under Section 301 of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America on November 4, 1986. I too became a U.S. citizen that day pursuant to that same section.

13. I have lived in Saipan since 1964 (or 1957 if you count my time on the ship). Last year I stayed with my daughter, Melvina, in Guam for about 3 months while I was getting medical treatment. I returned to Saipan in December on the day before the Typhoon hit Guam.

I hereby declare the foregoing statements to be true and correct to the best of my knowledge.

Date: 10-21-03

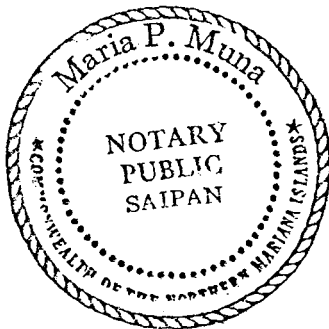


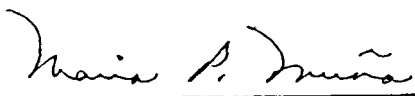
Bernard S. Phillip

COMONWEALTH OF)
THE NORTHERN) ss ACKNOWLEDGMENT
MARIANA ISLANDS)

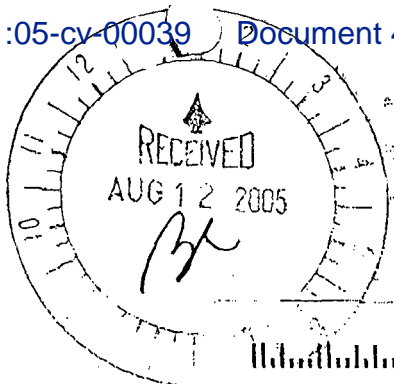
On this 21st day of October, 2003, before me, the undersigned notary, personally appeared Bernard S. Phillip, known to me to be the person whose name is subscribed to the Affidavit and that he acknowledged before me that he executed the same, of his own free will, for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.





NOTARY PUBLIC
Maria P. Muna
Commonwealth of the Northern Mariana Islands
My Commission Expires on the
18th day of April, 2004



United States Department of State
Honolulu Passport Agency-Box 50185
300 Ala Moana Blvd. Ste. 1-330
Honolulu, HI 96850-1330
1-877-487-2778

July 29, 2005

07/29/2005

Bernard Sikimour Phillip
PO Box 502178 CK
Saipan, MP 96950
MP 2331933

BERNARD SIKIMOUR PHILLIP
C/O: MP 2331933
PO BOX 502178 CK
SAIPAN MP 96950

Dear Mr. Phillip:

This letter is in reference to your request for passport services.

Your U.S. passport application executed on June 29, 2005 has been reviewed pursuant to Public Law 94-241 Section 301(b), the CNMI Covenant.

Section 301(b) confers U.S. citizenship as of November 3, 1986, on all persons who are citizens of the former Trust Territory of the Pacific Islands (TTPI) on the date of the Covenant, domiciled continuously in the Northern Mariana Islands (NMI) from at least November 3, 1981 to November 3, 1986, and registered to vote, unless under the voting age, in NMI elections prior to 1975.

The current, as well as your previous three U.S. passport applications (1999, 2000, 2003) and all accompanying documents have been carefully reviewed. They show that you were born in Chuuk, Federated States of Micronesia on May 31, 1933.

Our records indicate that your 1999 to 2003 U.S. passport applications were filed without further action because you failed to submit the following documentation:

- Acceptable early secondary evidence of birth to support your delayed record of birth;
- Certification that you were a registered voter of the CNMI elections prior to January 1, 1975; and,
- Sufficient proof of your continuous domicile in the CNMI only from November 3, 1981 to November 3, 1986. In particular records to cover the period from March 1985 to November 1986, since the NMI Social Security Earnings Record showed minimal or no earnings during that period.

Certification showing you were a registered voter in CNMI elections prior to January 1, 1975 was received with your new passport application. However, the additional domiciliary evidence and early secondary birth evidence, as indicated above, were not submitted. Also, the letter from your attorney Mr. Schweiger made it clear that there were no further documents forthcoming. Therefore, your application has been denied and a U.S. passport may not be issued to you at this time.

We suggest that you contact the U.S. Citizenship and Immigration Services (formerly known as the Immigration and Naturalization Service) for information regarding other travel documents and possible naturalization as a United States citizen. Your application will be filed without further action, and any special return postage fees refunded. By law, the passport execution and application fees are non-refundable.

Sincerely,

Nancy K. Finn
Regional Director

Commonwealth of)
the Northern) ss
Mariana Islands)

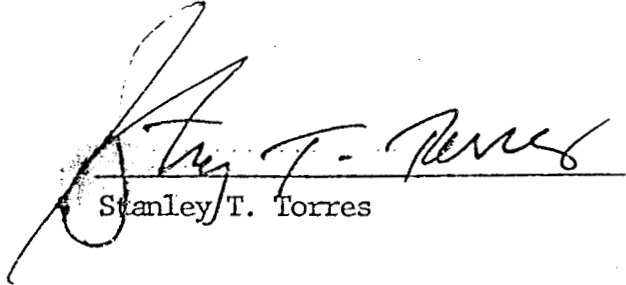
AFFIDAVIT

I, Estanislao Tudela Torres, (aka), Stanley T. Torres, being duly sworn and under oath, do hereby state the following:

1. I reside in Saipan, Commonwealth of the Northern Mariana Islands and am a U.S. Citizen.
2. I have known Bernard S. Phillip since 1964.
3. I know that he has resided continuously here in Saipan since 1964.
4. That he has resided in Tanapag Village in 1964 thru 1966.
5. That he has resided in Oleai Village in 1966 to 1967.
6. That he has resided in Chalan Kanoa in 1967 to 1968.
7. That he has resided in Tanapag Village in 1968 to 1969.
8. That he has resided in Oleai Village in 1969 thru 1979.
9. I know that he was my neighbor in Oleai Village during my term as an elected Village Commissioner for Oleai & Chalan Laulau Village from January 1968 thru December 1972 consecutively.
10. I know that he has resided in As-Mahetog Ranch-House from 1979 to the present time (1999).
11. I also know that he married to Ms. Rosa Onar and that they have five children of their own.
12. I have known him to be a good and hard working father and a good citizen in our Community.

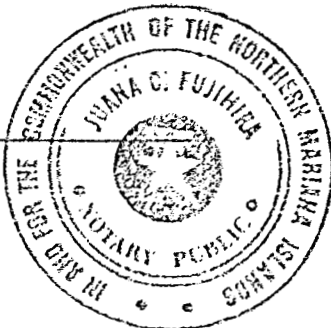
Further Affiant Sayeth Naught.

Date: October 14, 1999


Stanley T. Torres

Subscribed and Sworn to before me this 14th day of October, 1999.


Notary Public



JUANA C. FUJIHIRA
NOTARY PUBLIC
Commonwealth of the Northern Mariana Islands
My Commission expires: Jan 12, 2001

Exhibit "D"

Social Security Administration

P.O. Box 488

Saipan AP 96950

670-234-6203

04/27/99

In response to your request, shown below is a copy of your earnings as recorded in the books of the former NMI Social Security System, including earnings transferred from the former Trust Territory Social Security System.

+

PHILLIP BERNARD SIGUMUR

+

SSN: [REDACTED]

Birthdate: [REDACTED]

TTSSN: 00203

+

+

=====

N M I S S S E A R N I N G S R E C O R D

=====

	MARCH	JUNE	SEPTEMBER	DECEMBER	TOTAL	MAXIMUM CREDITABLE
1976			0.00	0.00	0.00	1,200 per quarter
1977	0.00	0.00	0.00	957.95	957.95	1,200 per quarter
1978	1,180.70	97.60	0.00	0.00	1,278.30	9,075 per year
1979	0.00	1,132.50	1,350.00	1,600.00	4,082.50	13,350 per year
1980	1,371.00	1,874.19	2,071.39	2,454.10	7,770.68	13,350 per year
1981	1,746.50	1,830.00	1,870.00	2,180.28	7,626.78	22,900 per year
1982	1,915.64	2,096.00	2,120.50	2,008.50	8,140.64	22,900 per year
1983	2,199.00	2,190.00	2,240.00	2,315.32	8,944.32	22,900 per year
1984	2,228.56	2,396.76	2,393.47	1,821.00	8,839.79	22,900 per year
1985	2,390.42	41.00	0.00	0.00	2,431.42	22,900 per year
1986	0.00	233.20	349.80	0.00	583.00	22,900 per year

=====

Total TTSSS Wages (7/1/68-6/30/76):	0.00	Total TTSS Quarters:	0
Total NMISSS Wages (7/1/76-12/31/86):	50,655.38	Total NMISSS Quarters:	29
Total Wages:	50,655.38	Total Quarters:	29

COMMENTS:

1. Wages through Quarter Ending 6/76 cannot be identified by quarter earned.
2. Prior to 7/1/76 wages of non-Trust Territory citizens were not covered.
3. Beginning 10/1/80 the wages of Filipino & Korean contract workers were not covered.
4. Beginning in 1987 wages were reported directly to US Social Security.
5. Earnings shown here will be added to any earnings you have with U.S. Social Security to determine if you qualify for social security benefits.

Certified to be a true transcript by:

name

title

date

Exhibit "E"



**COMMONWEALTH ELECTION COMMISSION
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

P.O. Box 500470
Saipan, MP 96950-0470
<http://www.votechnmi.gov.mp/>

Tel.: (670) 664-VOTE
Fax: (670) 664-8689
Email: cec@saipan.com

JAN 23 2003

Re: Certification of voter's registration

Our records show that, Mr. Bernard Phillip, born May 31, 1933 was registered to vote in Commonwealth elections for the years shown below:

<u>Year</u>	<u>Aff. No.</u>	<u>Election District</u>	<u>Nature of Election</u>
2003	2003-0021	4 - B, San Roque	General Election
1999	37991	3 - B, Garapan	General Election
1997	37991	3 - B, Garapan	General Election
1996	28371	3 - B, Garapan	Con-Con Amendments
1995	28371	3 - B, Garapan	General Election
1995	28371	3 - B, Garapan	Con - Con
1993	28371	3 - B, Gaapan	General Election
1989	00359	3 - B, Garapan	General Election
1987	00359	3 - B, Garapan	General Election
1985	00359	3 - B, Garapan	General Election
1985	00359	3 - B, Garapan	Con - Con
1983	00359	3 - B, Garapan	General Election
1981	00359	3 - B, Garapan	General Election
1979	00359	3 - B, Garapan	General Election
1977	04057	3 - B, Garapan	General Election
1974		Dist. #7, San Jose	Municipal Election

NOTHING FOLLOWS


JULITA A. VILLAGOMEZ
Administrative Officer